

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION

MAY 12 2006

JOHN F. CORCORAN, CLERK
BY: *[Signature]*
DEPUTY CLERK

MICHAEL CARPENTER,)	
Petitioner,)	Civil Action No. 7:05CV00491
)	
v.)	<u>FINAL ORDER ADOPTING REPORT</u>
)	<u>AND RECOMMENDATION</u>
)	
UNITED STATES DEPARTMENT OF)	
JUSTICE,)	By: Samuel G. Wilson
Respondent.)	United States District Judge

Michael Carpenter brings this suit pursuant to 28 U.S.C. § 2241, requesting an injunction preventing his transfer to the custody of the Commonwealth of Virginia. Respondents filed a motion for summary judgment, and the court referred the matter to United States Magistrate Judge Michael F. Urbanski pursuant to 28 U.S.C. 636(b)(1)(B) for a report and recommendation. The Magistrate Judge filed a report and recommendation, recommending dismissal because Carpenter's claim is moot. Neither party filed objections.

The court has reviewed the Magistrate Judge's report and pertinent portions of the record, and it is hereby **ORDERED** and **ADJUDGED** that the Magistrate Judge's report be **ADOPTED** in its entirety, that the respondents' motion for summary judgment be **GRANTED**, and that Carpenter's suit be **STRICKEN** from the active docket of the court.

The Clerk of the Court is directed to send certified copies of this order to the petitioner and to counsel for the respondent.

ENTER: This 12th day of May, 2006.

[Signature]

UNITED STATES DISTRICT JUDGE